

# **Exhibit B**



Ranjith Keerikkattil <rkeerikkattil@gmail.com>

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## Re: Plaintiff's Motion to Compel - Apr 14

1 message

Ranjith Keerikkattil <rkeerikkattil@gmail.com>

Mon, Apr 17, 2017 at 9:40 AM

To: "De Baun, Nicholas" <NDeBaun@seyfarth.com>

Cc: "Janson, Eric J." <EJanson@seyfarth.com>, "Costantino, Christine M." <CCostantino@seyfarth.com>, Ranjith Keerikkattil <rkeerikkattil@gmail.com>

Mr. De Baun,

Deloitte Defendants had designated every document produced as "CONFIDENTIAL", including copies of the Complaint in this case. We had a meet and confer call on February 14, 2017 regarding this and the parties agreed that either party may file documents designated as "CONFIDENTIAL" and the other party may move to seal any truly "CONFIDENTIAL" documents. See attached.

Exhibit A does not contain any financial, medical or educational records as well as any trade secrets. In addition, Stacy Sawin used her Deloitte corporate phone knowing very well that there is no expectation of privacy on her Deloitte corporate phone and that it should not be used to send any truly "confidential" or "privileged" personal communications. See APR 208.001

### APR 208 Electronic Communications:

1. .001 "The Systems and Electronic Communications are considered to be the property of the U.S. Firms, unless otherwise provided by law. While incidental and occasional personal use of the Systems is permitted in accordance with this policy, a User waives any claims to privacy as it relates to the use of the Systems and to the Electronic Communications. If a personal Electronic Communication is intended to be truly "confidential" or "privileged", alternative means of transmission should be used."

For the foregoing reasons, I do not believe that Exhibit A is a proper "CONFIDENTIAL" document that needs to be sealed. In addition, contents of Exhibit A will also be part of Plaintiff's Exhibit List to be produced later this week prior to the Final Pretrial Conference.

Sincerely,

Ranjith Keerikkattil

On Sun, Apr 16, 2017 at 5:06 PM, De Baun, Nicholas <NDeBaun@seyfarth.com> wrote:

Mr. Keerikkattil -

The protective order to which you agreed, and which the court "so ordered" on January 27, 2017, requires any party attempting to file confidential material with the court to consult with the designating party at least two business days prior to the date of the proposed filing. By attempting to file these materials without first consulting with us, you have violated that order. Deloitte objects to your attempt to file confidential materials, and in particular the material contained in Exhibit A. Please confirm upon receipt of this email that you will immediately withdraw your motion and comply with your court-ordered obligations. If you do not, we will seek appropriate relief.

Sincerely,

Nicholas De Baun

Nicholas H. De Baun | Partner | Seyfarth Shaw LLP  
620 Eighth Avenue | New York, New York 10018-1405  
Direct: +1-212-218-3334  
ndebaun@seyfarth.com | www.seyfarth.com  
[View Nicholas H. De Baun's profile on LinkedIn]<<https://www.linkedin.com/pub/nicholas-de-baun/6/883/18b>>

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On Apr 15, 2017, at 4:58 PM, Ranjith Keerikkattil <[rkeerikkattil@gmail.com](mailto:rkeerikkattil@gmail.com)<mailto:[rkeerikkattil@gmail.com](mailto:rkeerikkattil@gmail.com)>> wrote:

Mr. De Baun,

Please find courtesy copy of Plaintiff's Motion to Compel along with 18 exhibits (A-R).

Sincerely,  
Ranjith Keerikkattil

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CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information or otherwise be protected by law. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

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 Confidential Documents.pdf  
290K



Ranjith Keerikkattil <rkeerikkattil@gmail.com>

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**RE: Keerikkattil v. Sawin, et al. - Meet and Confer Call**

1 message

**De Baun, Nicholas** <NDeBaun@seyfarth.com>  
To: Ranjith Keerikkattil <rkeerikkattil@gmail.com>  
Cc: "Janson, Eric J." <EJanson@seyfarth.com>

Fri, Feb 17, 2017 at 1:22 PM

Mr. Keerikkattil -

1. If we agree to waive the privilege, we anticipate we could produce documents by Friday, February 24.
2. Confirmed.

In addition, in response to your email of February 16, Deloitte does not presently anticipate taking any depositions in this matter other than your deposition.

Sincerely,

Nicholas De Baun

**Nicholas H. De Baun** | Partner | Seyfarth Shaw LLP  
620 Eighth Avenue | New York, New York 10018-1405  
Direct: +1-212-218-3334  
nardebaun@seyfarth.com | www.seyfarth.com



SEYFARTH  
SHAW

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**From:** Ranjith Keerikkattil [mailto:rkeerikkattil@gmail.com]  
**Sent:** Friday, February 17, 2017 10:31 AM  
**To:** De Baun, Nicholas

Mr. De Baun,

A couple more things:

1. Assuming that Deloitte Defendants agree to waive privilege on documents sought, by what date would they be produced? Depositions of Alicia Carberry, Derek Masengale and Stacy Sawin would be meaningful only after I get enough time to review them.
2. With regards to documents designated as "CONFIDENTIAL", we had agreed during the call on Tuesday that either party may include them in their motions and the non-moving party may move to seal them pursuant to the stipulated protective order. Could you confirm this?

Sincerely,

Ranjith Keerikkattil  
4707 Grand Bend Drive  
Catonsville, MD 21228  
E-mail: rkeerikkattil@gmail.com  
Tel: (443) 690-1031

On Thu, Feb 16, 2017 at 3:31 PM, Ranjith Keerikkattil <rkeerikkattil@gmail.com> wrote:

Mr. De Baun,

I have provided the additional documents yesterday that you have sought in your requests for production. Those would be the documents that are not part of the public docket or not included in Deloitte's production. If any further documents are discovered relating to the pending discrimination claim, they shall be produced as well.

You had agreed to provide me the documents relevant to Plaintiff's Request No. 6 to Deloitte Defendants' by Friday, February 17, 2017. I can confirm that I received an e-mail regarding this from you today thought haven't reviewed the contents of the attachment yet.

You had agreed to inform me by Tuesday, February 21, 2017 on whether Deloitte Defendants agree to a waiver of privilege on Plaintiff's Request Nos. 2-5 to Deloitte Defendants.

I shall provide Deloitte Defendants with a detailed computation of damages by Friday, February 17, 2017.

I shall provide a written response with regards objections to these pending interrogatories by Tuesday, February 21, 2017 as agreed during the call.

I confirm that I have not sought treatment from any medical providers with respect to any emotional distress and there are no medical records relating to any such treatment.

I can confirm that I have not hired any private investigators, except the private investigators retained by The Law Offices of Bernard S. Grimm in relation to US v. Keerikkattil, 2015-CMD-17652.

I have already notified you on Tuesday that I would have a conflict on March 17<sup>th</sup> and proposed March 20<sup>th</sup>, 23<sup>rd</sup> or 24<sup>th</sup> as alternate dates for Plaintiff's deposition.